CH 100/-

4

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 3523 OF 2003

PETITIONER : Minketan S/o Late Shri Kanhu Charan Panigrahi, aged about 47 years, occupation – Peon posted at Sub Treasury Office Sariapali Distt. Mahasamund (C.G)

VERSUS

RESPONDENTS :

(1) State of Chhattisgarh through the Secretary Finance Department, D.K.S. Bhawan, Raipur (C.G.)

(2) Under Secretary Finance Department, Raipur (C.G.)

(3) Commissioner Treasury, Accountant & Pension Chhattisgarh, Raipur

(4) District Treasury Officer, Mahsamund, Distt. – Mahasamund (C.G.)

(5) Safed Lal Bhoi, Occupation – Peon at Dist. Treasury office Mahsamund (C.G.)

RECEIVED-COPY 28/10/2 Clerk to A.G. Bilaspur

P. R. No. 2326/03 Presented by Shri Sunil Sahu dated 26.10.03

WRIT PETITION U/A 226/227 OF THE CONSITITUTION OF INDIA

XI-HC—78

(25)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P.No.3523/

मामला क्रमांक ..... सन् 200 3

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
14.11.03	Upon being mentioned, the matter is taken on Board. Shri Awadh Tripathi, counsel for the petitioner. Shri Ranbir Singh Marhas, Government Advocate for the State. Heard both the counsel. By this writ petition under Article 226/227 of the Constitution of India, the petitioner seeks to challenge the order dated 10.09.2003 (Annexure P-2) by which he has been transferred from Saraipali to Mahasamund by respondent No.2. The case of the petitioner is that he is a IV Class employee and working as Peon in the Sub-Treasury Office, Saraipali. In the year 2001, the petitioner was posted in the District Treasury Office, Mahasamund. The petitioner filed a representation for his transfer to Saraipali because, after the death of his father nobody was available in the house to lookafter his mother. Accordingly, the request of the petitioner was acceeded to and he was transferred to Saraipali vide order dated 30th June, 2001, and since then the petitioner was working at Sarapali. However, vide the impugned order, the petitioner has again been transferred to Mahasamund mentioning therein that the petitioner will bear his	

XI-HC—78

(23)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P.No.3523/

मामला क्रमांक ..... सन् 2003

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -: 2 :-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

own expenses, whereas the petitioner has not made any request for his transfer from Saraipali. The difficulties on which the petitioner has sought his transfer from Mahasamund to Saraipali are still existing.

Therefore, the learned counsel for the petitioner submits that the petitioner may be allowed to make representation raising all his difficulties and grievances for which the learned Government Advocate has no objection.

Having heard the learned counsel for parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation raising all his grievances to respondent No.2 within 15 days from today and in turn, respondent No.2 shall decide the representation within 30 days from the date of receipt of the same considering all his grievances in an objective manner with a reasoned order. Till then, the petitioner may not be relieved, if already not relieved.

With the above observations and directions, the petition stands disposed of.

Consequently, M.(W.)P.No.3194/2003 and I.A.No.10102/2003 also stand disposed of.

parties are entitled for certified copy of this order.

Soma

Sd/-
L.C. Bhadoo
Judge